

# BREMER WHYTE

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Legal Specialization

January 13, 2012

### VIA ELECTRONIC FILING

Hon. Joseph C. Spero  
United States District Court  
Courtroom G  
450 Golden Gate Avenue  
San Francisco, CA

Re: **TransFresh Corporation v. Ganzerla and Associates, et al.**  
BWB&O Client: PeakFresh USA  
BWB&O File No.: 3693.001  
Case No.: CV11-06348-JCS  
Subject: Request for Telephonic Appearance

Dear Judge Spero:

My name is Michael H. Shen and my office is counsel of record for Defendants Ganzerla and Associates, Inc. and Gregory Ganzerla (hereinafter "Defendants"). On January 5, 2012, my office filed a Motion to Dismiss Plaintiff's Complaint on behalf of Defendants pursuant to Fed. R. Civ. Proc. rule 12(b)(6). This motion is set to be heard on February 10, 2012 at 9:30 a.m. before this Court.

We are based out of Newport Beach, California and in the interests of keeping litigation fees, costs and expenses down, we respectfully request permission from the Court to appear telephonically at the February 10, 2012 hearing. If the Court should grant this request, I will be available at the time of the hearing in my office and can be reached via telephone landline at (949) 221-1000, extension 258.

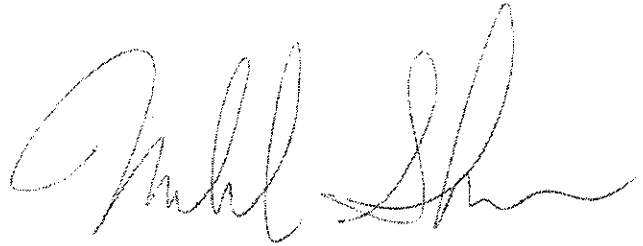
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Hon. Joseph C. Spero  
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I thank the Court for considering my request. If the Court should have any questions or require anything further in regards to this request, please do not hesitate to contact my office. Thank you.

Very truly yours,

BREMER WHYTE BROWN & O'MEARA LLP



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cc:

E. Lynn Perry  
Counsel for Plaintiff TransFresh Corporation

Dated: Jan. 18, 2012

